

For: State and County Offices

2008 Final Direct Payments

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The Food, Conservation, and Energy Act of 2008 (the 2008 Act) was enacted into law on June 18, 2008. The 2008 Act authorizes the continuation of DCP for 2008 through September 30, 2012.

B Purpose

This notice:

- informs State and County Offices that:
 - 2008 final direct payments for peanuts and covered commodities can be issued on or about October 6, 2008, **after** the actions in subparagraph 3 B have been completed
 - final direct payment rates are in 2-DCP, subparagraph 21 B
- provides County Offices with guidance for issuing payments to producers with special circumstances, including bankruptcy, deceased producers, or successor-in-interest.

| | |
|----------------------|--|
| Disposal Date | Distribution |
| October 1, 2009 | State Offices; State Offices relay to County Offices |
| 9-24-08 | Page 1 |

Notice DCP-198

2 Issuing Payments to Producers With Special Circumstances

A Bankruptcy

County Offices shall:

- follow existing procedures for producers who have filed bankruptcy
- refer to 67-FI.

B Deceased Producers

County Offices shall follow the policy in 1-DCP (Rev. 1), paragraph 400 for deceased producers.

C Successor-in-Interest

County Offices shall follow the policy in 1-DCP (Rev. 1), paragraph 398 for successor-in-interest.

3 State and County Office Action

A State Office Action

SED's shall ensure that:

- County Offices are informed of the contents of this notice
- DD's have reviewed the 2008 Base and Yield Adjustment Report according to 1-DCP (Rev. 1), subparagraph 5 C.

Notice DCP-198

3 State and County Office Action (Continued)

B County Office Action

CED's shall:

- ensure that:
 - all eligibility information has been updated according to 3-PL
 - all DCP reports are printed according to 1-DCP (Rev 1.), paragraph 854, reviewed and reconciled
 - DCP fruit and vegetable payment reductions are updated according to 4-CP
 - FSA-578 has all acres certified according to 2-CP

Note: The overpayment due date for a producer that has not certified all acres according to 2-CP is October 1, 2008. If a producer is determined as overpaid after September 30, of the current FY and the overpayment is subsequently transferred to receivables and then claims, claim interest will apply even though the condition causing the overpayment is later resolved. See 2-DCP, paragraph 223.

- print the 2008 Direct Program Parameter file information according to 1-CM, subparagraph 105 C and verify the report according to 1-CM, subparagraph 108 A
- begin issuing 2008 final direct payments for peanuts and covered commodities on or about October 6, 2008, **after:**
 - completing the instruction in the information bulletin
 - 2009 fiscal year e-funds have been allocated
 - procedures in this subparagraph has been completed.